

CITY PLANNING COMMISSION MINUTES

September 2, 2004

The regular meeting of the City Planning Commission convened Thursday, September 2, 2004 at 1:34 pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Leslie Gentile, Matthew Jenkins, Nick Sramek, Morton Stuhlbarg, Charles Winn

ABSENT: COMMISSIONERS: Mitchell Rouse

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Planning Bureau Manager
Angela Reynolds, Advance Planning Officer
Craig Chalfant, Planner
Vickie Becker, Planner
Jayme Mekis, Planner
Heidi Eidson, Minutes Clerk

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Mark Christoffels, City Engineer
Tom Shippey, Parks, Recreation & Marine,
Maintenance Operations Bureau Manager

PLEDGE OF ALLEGIANCE

Angela Reynolds led the pledge of allegiance.

SWEARING OF WITNESSES

CONSENT CALENDAR

Item 1A was pulled from the consent calendar for questions.

In response to a query from Commissioner Winn, Mark Christoffels, City Engineer stated that the items listed in the Capital Improvement Plan are prioritized based on infrastructure needs and available funding.

Items 1A, 1B, 1C and 1D were approved as presented by staff on a motion from Commissioner Stuhlbarg, seconded by Commissioner Jenkins and passed 6-0. Commissioner Rouse was absent.

1A. Case No. CIP-05

Applicant: City of Long Beach
Subject Site: Citywide
Description: Finding of conformity with the General Plan for the Proposed Fiscal Year 2005 Capital Improvement Plan.

Found the proposed projects in conformance with the General Plan.

1B. Case No. 0306-09, Tentative Map No. 60282, CE 03-117

Applicant: Kadee Della Donna
Subject Site: 502-504 Nebraska Avenue
Description: Approval of Tentative Map No. 60282 for the purpose of creating a 3-lot subdivision in the Townhouse (R-3-T) Zone District.

Approved Tentative Map.

1C. Case No. 0408-05, Conditional Use Permit

Applicant: Richard Saldano and Ira Handelman
Subject Site: 3410 N. Long Beach Boulevard
Description: Conditional Use Permit for the sale of alcoholic beverages for off-premise consumption at a retail 7-Eleven convenience store.

Continued to the Planning Commission hearing of October 21, 2004.

1D. Case No. 0406-35, Tentative Parcel Map No. 61481, CE 04-134

Applicant: K.C. Coultrup
Subject Site: 1401 Greenbrier Road
Description: Approval of Vesting Tentative Parcel Map No. 61481 to convert an existing nineteen-unit apartment building into condominiums.

Approved Tentative Map.

REGULAR AGENDA

2. Case No. 0401-09, Standards Variance, CE 04-06

Applicant: Charles Belak-Berger
Subject Site: 56 La Linda Drive
Description: Standards Variance for construction of a two story single family residence with an attached two-car garage and approval of an Oak Tree Permit.

Craig Chalfant presented the staff report recommending approval of the Standards Variance request including an overhead presentation of the revised Site Plan and specific conditions regarding the preservation of the oak tree located on the site. Mr. Chalfant reported that this item had been continued by the Commission until the moratorium regarding the alteration or destruction of historically significant oak trees was lifted or revised. The City Council adopted an ordinance on August 10, 2004 requiring the issuance of an oak tree permit prior to any pruning or alteration of a protected oak tree, including the tree located on this site.

Greg Applegate, consulting arborist on the project, stated that after testing the age of the oak tree, he estimated that it is well under 100 years old.

Mr. Applegate also requested some changes to the suggested Conditions of Approval regarding the preservation of the oak tree. First of all, he stated that he felt that monthly monitoring reports were not

necessary and that quarterly reports would be adequate. Secondly, he remarked that the tree protection zone should be determined by the trunk diameter and not the drip line and that Condition #21 should be changed to reflect that area as a 32' radius from the trunk of the tree.

Jeff Kaufman, co-owner of the property, stated that he had a list of the square footages of homes on La Linda Drive and that the proposed project was in conformance with over one-third of them.

Mr. Kaufman also stated that the tree was never intended to be removed from the property and that an arborist was hired to make sure that the tree was not harmed during the construction of the home. He also remarked that the tree was planted after the Bixby family lived on the property and was therefore not of historical significance.

Harry Pope, 45 La Linda Drive, stated that he felt that the protection of the oak tree was a primary concern as was the preservation of the character of La Linda Drive.

Mr. Pope remarked that he had a problem with the size and appearance of the proposed house stating that it was 20% larger than the average size of houses in the neighborhood, it was double the average density and it was too vertical and visually massive.

Mr. Pope also stated that he had observed construction crews violating the construction recommendations for the preservation of the oak tree.

Mike Kowal, 3756 Pine Avenue, Los Cerritos Improvement Association, stated that the residents in his area were concerned about the 10' setback along Bixby Road and the appearance of a 2-story, 20' high building.

Richard Ivey, 242 E. Bixby Road, stated that he felt the project was out of character with the rest of the neighborhood and would affect the desirability of the neighborhood.

Jeff Kellogg, 202 E. Bixby Road, stated that he was opposed to the project because of the setbacks and was concerned about the precedent it would set in the area.

Mike Murchison, consultant representing the owner and applicants, stated that he was opposed to Condition #23 which requires that a covenant be put in place. He added that an ordinance could be put in place to protect the oak tree in perpetuity without placing the further restriction of a covenant on the project.

Commissioner Greenberg remarked that variances were requested because they were necessary to preserve the tree and that the covenant would be a permanent means of ensuring that the tree be protected. He added that ordinances can be changed and are not as permanent.

In response to a query from Commissioner Greenberg, Mr. Murchison stated that he was opposed to the covenant because it would make it very restrictive to go through the deed process to sell the home in the future.

Charles Belak-Berger, project architect, stated that he concurred with the Conditions of Approval and added that the house was designed to fit the restrictions that were placed on the project.

Mr. Belak-Berger also remarked that they tried to work with as many people and as many ideas as possible to make the project work for the builder and the neighbors and to keep it economically viable.

Patrick Jones, general contractor on the project, clarified that the house would be built three feet from the property line and about 10-12 feet from the neighboring house.

In response to a query from Commissioner Jenkins regarding the applicant's concerns about changing Conditions #10, 21 and 23, Mr. Carpenter stated that staff did not feel it was unreasonable to request monthly arborist reports since the project would probably take about two quarters to build. Secondly, Mr. Carpenter stated that since the City Arborist recommended accepting Mr. Applegate's report, Condition 21 could be changed to use the radius measurement instead of the dripline measurement. Finally, Mr. Carpenter stated that the covenant would give an assurance that when someone bought the property they were made aware of the fact that they must protect the oak tree. He added that he did not feel it was unreasonable considering the recommendation of variances was based on the continued life of the tree and that it was not unusual for the department to require covenants.

Commissioner Jenkins made a motion to approve the code exceptions, make a positive recommendation regarding the issuance of an oak tree permit and to amend Condition of Approval #21 to include Mr. Applegate's recommendation of a tree trunk protection zone. Commissioner Stuhlberg seconded the motion which passed 5-0-1, with Commissioner Gentile abstaining. Commissioner Rouse was absent.

3. Case No. 0406-29, Conditional Use Permit, CE 04-130

Applicant: Laurie Semon & Erin O'Hagan
Subject Site: 3510 E. Broadway
Description: Conditional Use Permit and Local Coastal Development Permit for the sale of beer and wine for off-premise consumption at a retail specialty foods store.

Vickie Becker presented the staff report recommending approval of the Conditional Use Permit and Local Coastal Development Permit.

Laurie Semon, owner of Olives, stated that the specialty grocery store would carry prepared foods and that beer and wine would serve as an add-on for people picking up dinner who then wouldn't have to stop at a liquor store too. There would be no seating available and all consumption would be off-site.

Ms. Semon also remarked that the neighbors were very supportive of the project.

Commissioner Winn made a motion to approve the Conditional Use Permit and Local Coastal Development Permit, subject to conditions. Commissioner Gentile seconded the motion, which passed 6-0. Commissioner Rouse was absent.

4. Case No. 0408-02, Conditional Use Permit, CE 04-159

Applicant: City Of Long Beach Department of Parks,
Recreation & Marine
Subject Site: 4800 E. Wardlow Road
Description: Request to install and operate an electronic
message center (community announcements only) in the Park Zone
District.

Jayne Mekis presented the staff report recommending approval of the electronic message center sign at Skylinks golf course. The sign would provide community oriented information regarding the golf course and other city programs approximately 16 hours per day, 7 days a week.

Commissioner Sramek remarked that previous message center projects had Conditions of Approval restricting the frequency of the messages displayed so as not to distract drivers. Mr. Carpenter responded that the four second maximum frequency in the Zoning Code comes from staff research of Cal Trans standards. Mr. Carpenter then remarked that the Commission could impose more stringent conditions on message frequency if they found it necessary.

Commissioner Gentile expressed her concerns that the sign could be precedent setting and that other businesses near that intersection may also want to have message center signs. She also stated that she felt the sign could be more creative in its presentation.

Commissioner Jenkins remarked that he felt the sign made a positive statement about Skylinks and Long Beach.

In response to a query, Ms. Mekis stated that the dimensions of the message portion of the sign were 3' x 15' and the overall dimensions of the sign were 12' x 16'.

Tom Shippey, Manager of Maintenance Operations of the Department of Parks, Recreation and Marine, stated that the messages needed to be up long enough to be easily read. He also stated that the sign was designed to match the deco design of the airport.

In response to queries from Commissioner Sramek, Mr. Shippey stated that the sign would be diagonal to the intersection and that he would not object to a reasonable limit regarding the frequency of messages.

In response to a query from Commissioner Winn, Mr. Shippey stated that American Golf's logo would appear on the body of the sign because they are the vendor for the City that operates the golf courses. However, the Department of Parks, Recreation and Marine would control the messages that were displayed on the electronic sign board and there would be no commercial advertising permitted. Mr. Carpenter further clarified that Condition #16 restricted the messages to golf course and community events and that no commercial advertising was allowed. Commissioner Gentile commented on the importance of design since the sign would be the first of its type on a newly renovated street near the Douglas Park project. She remarked that the sign needed more style and a reduction of mass, suggesting possibly that the Skylinks logo read as a silhouette above the monument.

Mr. Carpenter responded that a condition could be added to redesign the sign to reduce its mass and more closely reflect the architecture of the vicinity to the satisfaction of the Director of Planning and Building.

Commissioner Greenberg concurred that the sign should be more imaginative and less bulky.

Commissioner Jenkins suggested that Commissioner Gentile get together with staff and the sign company to work on a new design.

Commissioner Winn agreed with Mr. Carpenter's suggestion of an additional condition for redesign, so as not to hold up the project any longer.

Mr. Shippey remarked that the golf course was set to open on October 1st with the new sign in place. The sign was currently within budget, but he was concerned that redesign could take the project out of budget.

Commissioner Gentile made a motion to approve the Conditional Use Permit to install and operate an electronic message center in the Park Zone District with the addition of Condition #21 regarding redesign of the sign.

Commissioner Sramek asked if the motion could also include the provision that message frequency be increased to once every 15 seconds. Commissioner Gentile agreed to amend the motion.

Commissioner Sramek then seconded the motion which passed 6-0. Commissioner Rouse was absent.

MATTERS FROM THE AUDIENCE

There were no matters from the audience.

MATTERS FROM THE DEPARTMENT OF PLANNING AND BUILDING

Fady Mattar reported that the City Council had recently approved the resolution to allow more than 3 amendments per year to the Land Use Element of the General Plan. Council had also approved the Alamitos Ridge residential tract and zone change for the residential tract, however the zone change requested for the abutting school was removed from the request. The Mark Twain Library was also approved by Council, as was the request to increase the budget for the consultant working on the Land Use and Mobility Elements of the General Plan.

Mr. Carpenter reminded the Commission that there would be a study session regarding the Central Strategic Plan prior to the meeting of September 16, 2004.

MATTERS FROM THE PLANNING COMMISSION

There were no matters from the Planning Commission.

ADJOURN

The meeting adjourned at 3:40 pm.

Respectfully submitted,

Heidi Eidson
Minutes Clerk